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(formerly 24852-501 CIP)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS :	Miller, T. et al.	CONFIRMATION NUMBER :	8627
U.S. PATENT NO.:	7,456,219	ISSUE DATE :	November 25, 2008
SERIAL NUMBER :	10/600,132	EXAMINER :	Valenrod, Y.
FILING DATE :	June 19, 2003	ART UNIT :	1621
FOR :	POLYMORPHS OF SUBEROYLANILIDE HYDROXAMIC ACID		

Certificate of Correction Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Certificate

JUN 17 2009

of Correction

TRANSMITTAL LETTER

Transmitted herewith for filing in the present patent are the following documents:

1. Request for Certificate of Correction for Letters Patent (4 pages);
2. Certificate of Correction (3 pages); and
3. Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room is respectfully requested to contact the undersigned collect at (212) 935-3000, New York, New York.

No fees are believed due in connection with this submission, however, the Commissioner is hereby authorized to charge any additional fees due, or credit any overpayment of same, to Deposit Account No. 50-0311; Reference No. 24852-201002US; Customer No. 35437.

Respectfully submitted,

Dated: June 12, 2009

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REQUEST FOR CERTIFICATE OF CORRECTION UNDER 37 C.F.R. §1.322

The patentee of the above-identified patent, through its attorney, hereby requests issuance of a Certificate of Correction. A certificate is required to correct errors, as follows:

Inventorship:

Pursuant to a telephonic conversation with Mr. Daniel Sullivan of the Technology Center associated with Art Unit 1621 on March 24, 2009, the patentee hereby files this Certificate of Correction to correct the inventors listed on the face of U.S. Patent No. 7,456,219. The patentee filed a Petition and Amendment to Correct Inventorship on July 16, 2007. No notification of grant of this Petition was provided by the USPTO prior to allowance and issue of the patent. U.S. Patent No. 7,456,219 issued on November 25, 2008. On March 24, 2009, Mr. Sullivan informed the patentee's agent Michelle Iwamoto that a notification of grant of the petition could not be provided, since this would require the filing of a Supplemental Notice of Allowance. Mr. Sullivan stated that he could not file such a Supplemental Notice of Allowance because the patent had already issued, and requested that the patentee correct the inventorship by Certificate of Correction. Therefore, the patentee hereby submits this Certificate of Correction to correct the inventors listed on the face of U.S. Patent No. 7,456,219, deleting at page 1, "Victoria M. Richon, New York, NY (US)" and "Judy H. Chiao, Berkeley Heights, NJ (US)". The sole inventor of this patent is Thomas A. Miller, New York, NY (US).

The claims:

Claim 1, col. 55 at line 22 should be corrected as: "Perkin[[s]] Elmer DSC 6
~~Instrument~~Instrument."

Claim 2, col. 55 at line 28 should be corrected as: "13.4-14.0, 15.0-15.2, 17.5-19.0, 20.1-
20.3, ~~21.1~~21.1-21.3, 22.0-"

Claim 2, col. 55 at lines 33-34 should be corrected as: "maximum value at about
164.4±2.0, as measured by a Perkin[[s]] Elmer DSC 6 ~~Instrument~~Instrument."

Claim 3, col. 55 at line 39 should be corrected as: "organic solvent and water, wherein the
organic solvent is at"

Claim 3, col. 55 at line 43 should be corrected as: "24.0, 24.4, 24.8, 25.0, 28.0[[.]], and
43.3 degrees 2θ, wherein the"

Claim 3, col. 55 at line 47 should be corrected as: "sured by a Perkin[[s]] Elmer DSC 6
Instrument."

Claim 4, col. 55 at line 52 should be corrected as: "organic solvent and water, wherein the
organic solvent is at"

Claim 4, col. 55 at line 56 should be corrected as: "24.0, 24.4, 24.8, 25.0, 28.0[[.]], and
43.3 degrees 2θ, and lacking"

Claim 4, col. 55 at line 63 should be corrected as: "about 164.4±2.0, as measured by a
Perkin[[s]] Elmer DSC 6 Instrument."

Claim 5, col. 56 at line 6 should be corrected as: "about 164.4±2.0, as measured by a
Perkin[[s]] Elmer DSC 6"

Claim 6, col. 56 at lines 8-10 should be corrected as: "An active ingredient consisting of
suberoylanilide hydroxamic acid (SAHA) Form I characterized by an X-ray ~~diffraction~~
diffraction pattern including characteristic peaks at about 9.4,"

Claim 6, col. 56 at line 15 should be corrected as: "164.4±2.0, as measured by a
Perkin[[s]] Elmer DSC 6 Instrument."

Claim 8, col. 56 at line 23 should be corrected as: "The active ingredient according to any
one of claims 1, 2,"

Claim 9, col. 56 at line 28 should be corrected as: "mum value at about 164.4 ± 2.0 , as measured by a Perkin[[s]]"

Claim 12, col. 56 at line 42 should be corrected as: "ration of SAHA from an organic solvent or a mixture of an"

Claim 12, col. 56 at line 51 should be corrected as: "by a Perkin[[s]] Elmer DSC 6 Instrument."

Claim 13, col. 56 at lines 54-55 should be corrected as: "process comprising the step of recrystallizing a crude ~~preparation~~ preparation of SAHA from an organic solvent or a mixture of an"

Claim 13, col. 56 at line 57 should be corrected as: "least one of methanol, ethanol or ~~isopropanol~~ isopropanol, the SAHA"

Claim 13, col. 56 at line 61 should be corrected as: " $22.7-23.0$ ~~degrees~~ degrees 2θ , wherein the X-ray diffraction is mea--"

Claim 14, col. 56 at line 66 should be corrected as: " 164.4 ± 2.0 , as measured by a Perkin[[s]] Elmer DSC 6 Instrument."

Claim 17, col. 57 at line 10 should be corrected as: "preparation of SAHA is prepared by_{3/4}."

Claim 20, col. 57 at lines 45-46 should be corrected as: "The active ingredient according to claims ~~83~~, 4, 5, 12 to 14, and 18, wherein said organic solvent is methanol[[.]], ethanol"

Claim 23, col. 57 at line 56 should be corrected as: "said organic ~~solvent~~ solvent is ~~methanol~~ isopropanol."

Claim 28, col. 58 at line 3 should be corrected as: "1-99% methanol, ethanol or isopropanol and about 99-1% of water."

Claim 34, col. 58 at line 23 should be corrected as: "acteristic peaks at about $9.4[[.]]$, $17.5[[.]]$, $19.4[[.]]$, $20.0[[.]]$, 24.0 , and 28.0 "

Claim 36, col. 58 at lines 34-35 should be corrected as: "acteristic peaks at 9.0 , 9.4 , ~~17.5~~ 17.5 , 19.4 , 20.0 , 24.0 , 24.4 , 24.8 , 25.0 , 28.0 , 43.3 degrees 2θ , wherein the X-ray diffraction is"

Claim 37, col. 58 at line 65 should be corrected as: "The ~~active~~ active ingredient according to claim 36, wherein"

Claim 41, col. 59 at line 28 should be corrected as: "as measured by a Perkin[[s]] Elmer DSC 6 Instrument; obtainable"

Claim 41, col. 60 at line 2, should be corrected as: "suberanilate having the structure₂;"

Claim 43, col. 60 at line 30 should be corrected as: "step (c) further comprises the steps of₂;"


The corrections to the inventor information and the typographical errors in the claims are not believed to involve such change as would constitute new matter or require examination.

It is respectfully requested that a Certificate of Correction be issued pursuant to 35 U.S.C. §254 to correct the errors in the claims and in the inventor information. Enclosed herewith is a copy of a proposed Certificate of Correction indicating the errors and corrections thereof.

Patentee respectfully submits that the typographical errors that appear in the issued patent are errors made by the Patent Office and, therefore, believes that no fees are due. However, the Commissioner is hereby authorized to charge any fees due, or credit any overpayment of same, to **Customer No. 35437; Deposit Account No. 50-0311; Reference No. 24852-201002US.**

Respectfully submitted,

Dated: June 12, 2009


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UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

Page 1 of 3

PATENT NO.: 7,456,219
APPLICATION NO.: 10/600,132
ISSUE DATE: November 25, 2008
INVENTOR(S): Thomas A. Miller *et al.*

It is certified that an error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Page 1, (54), the sole inventor should be: Thomas A. Miller, New York, NY (US)

Claim 1, col. 55 at line 22 should be corrected as: "Perkin[[s]] Elmer DSC 6 ~~Instmment~~Instrument."

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